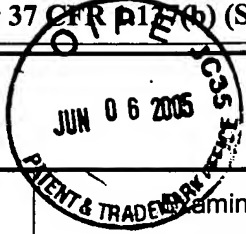


DAK 3FW

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.17(b) (Small Entity)**

Docket No.
RBC-101US

In Re Application Of: **Smith**



Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/092,796	03/07/2002	Bret Hayes	24314	3643	3409

Invention: **Method for Producing Miniature Cranberries and a Substantially Full Yield Thereof**

Attention: Office of Petitions
Mail Stop Petition
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified Office Action:

☒ is enclosed. ☐ was filed on _____

The proposed reply is in the form of: Response and Request for Continued Examination

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on _____

3. ☒ Applicant claims small entity status. See 37 CFR 1.27

06/08/2005 AWONDAF1 00000042 100270 10092796
01 FC:2453 750.00 DA

4. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

5. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

6. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entity)**

Docket No.
RBC-101US

In Re Application Of:

Smith

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/092,796	03/07/2002	Bret Hayes	24314	3643	3409

Invention: **Method for Producing Miniature Cranberries and a Substantially Full Yield Thereof**

Calculation and Payment of Fees

Enclosed are the following fees:

- | | |
|---|-----------------------------|
| 7. <input checked="" type="checkbox"/> Petition fee under 37 CFR 1.17(m) in the amount of: | <u>\$750.00</u> |
| 8. <input type="checkbox"/> Fee for amendment in the amount of: | <u> </u> |
| 9. <input type="checkbox"/> Fee for extension of time to reply to Office Action in the amount of: | <u> </u> |
| 10. <input type="checkbox"/> Issue fee in the amount of: | <u> </u> |
| 11. <input checked="" type="checkbox"/> Continuing application filing fee in the amount of: | <u>\$395.00</u> |
| 12. <input type="checkbox"/> Terminal disclaimer fee in the amount of: | <u> </u> |
| 13. <input type="checkbox"/> _____ | <u> </u> |
| Total fees enclosed: <u>\$1,145.00</u> | |

The fee of **\$1,145** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **10-0270**
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entity)**

**Docket No.
RBC-101US**

In Re Application Of:
Smith

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/092,796	03/07/2002	Bret Hayes	24314	3643	3409

Invention: Method for Producing Miniature Cranberries and a Substantially Full Yield Thereof

Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

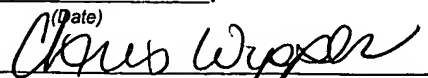

Signature

**Matthew M. Fannin, Reg. No. 51,268
Jansson, Shupe & Munger, Ltd.
245 Main Street
Racine, WI 53403
262/632-6900**

Dated: June 3, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

June 3, 2005

(Date)

Signature of Person Mailing Correspondence

Chris Wipper

Typed or Printed Name of Person Mailing Correspondence

CC: